



TWENTY-FIRST JUDICIAL CIRCUIT

MUNICIPAL DIVISIONS

TWO YEARS ENDED JUNE 30, 1999

**From The Office Of State Auditor
Claire McCaskill**

Report No. 2000-43
June 6, 2000
www.auditor.state.mo.us

AUDIT REPORT



Office Of The
State Auditor Of Missouri
Claire McCaskill

June 2000

The following audit report presents our findings and recommendations for certain municipal divisions of the Twenty-First Judicial Circuit. During our audit, we identified accounting records, controls, and certain management practices which we believe could be improved. The municipal divisions in which specific findings and recommendations were noted are listed below:

City of Bel-Nor	<i>page 19-21</i>
City of Charlack	<i>page 21-23</i>
City of Normandy	<i>pages 23-25</i>
City of Overland	<i>page 25-26</i>
City of Velda City	<i>pages 26-29</i>
City of Vinita Park	<i>pages 29-32</i>

YELLOW SHEET

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS

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TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS

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FINANCIAL SECTION

State Auditor's Reports



CLAIRE C. McCASKILL
Missouri State Auditor

**INDEPENDENT AUDITOR'S REPORT ON
THE FINANCIAL STATEMENTS**

Presiding Judge
and
Municipal Judges
Twenty-First Judicial Circuit

We have audited the accompanying special-purpose financial statements of the various municipal divisions of the Twenty-First Judicial Circuit as of and for the years ended June 30, 1999 and 1998, as identified by municipality and fiscal period in the table of contents. These special-purpose financial statements are the responsibility of the municipal divisions' management. Our responsibility is to express an opinion on these special-purpose financial statements based on our audit.

Except as discussed in the fourth paragraph, we conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the special-purpose financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the special-purpose financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

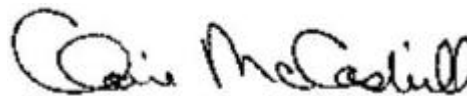
The accompanying special-purpose financial statements were prepared for the purpose of presenting the receipts, disbursements, and changes in cash of the municipal divisions of the Twenty-First Judicial Circuit and are not intended to be a complete presentation of the financial position and results of operations of the municipal divisions.

Internal controls and accounting records of the city of Velda City Municipal Division were inadequate. The municipal division did not adequately account for bond monies held in trust. As a result, we were unable to satisfy ourselves by appropriate audit tests or other means as to receipts and disbursements beyond amounts recorded in the municipal division's records for the years ended June 30, 1999 and 1998.

In our opinion, except for the effects, if any, on the financial statements of the matters discussed in the preceding paragraph, the special-purpose financial statements referred to in the first paragraph present fairly, in all material respects, the receipts, disbursements, and changes in cash of the municipal divisions of the Twenty-First Judicial Circuit as of and for the years ended June 30, 1999 and 1998, in conformity with the comprehensive basis of accounting discussed in Note 1, which is a basis of accounting other than generally accepted accounting principles.

In accordance with *Government Auditing Standards*, we also have issued our report dated February 24, 2000, on our consideration of the municipal divisions' internal controls over financial reporting and on our tests of their compliance with certain provisions of laws, regulations, contracts, and grants.

The accompanying History, Organization, and Statistical Information is presented for informational purposes. This information was obtained from the municipal divisions' management and was not subjected to the auditing procedures applied in the audit of the special-purpose financial statements referred to above.

A handwritten signature in black ink, appearing to read "Claire McCaskill", is positioned above the printed name and title.

Claire McCaskill
State Auditor

February 24, 2000 (fieldwork completion date)

The following auditors participated in the preparation of this report:

Director of Audits:	Karen Laves, CPA
Audit Manager:	Douglas J. Porting, CPA
In-Charge Auditor:	Debra S. Lewis, CPA
Audit Staff:	Jennifer Redenbaugh, CPA
	Tirennia C. Miller
	Terrance Sneed



CLAIRE C. McCASKILL
Missouri State Auditor

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING**

Presiding Judge
and
Municipal Judges
Twenty-First Judicial Circuit

We have audited the special-purpose financial statements of the various municipal divisions of the Twenty-First Judicial Circuit as of and for the years ended June 30, 1999 and 1998, and have issued our report thereon dated February 24, 2000. That report expressed a qualified opinion on the special-purpose financial statements of the city of Velda City Municipal Division for the applicable fiscal periods. Except as discussed in the report on the financial statements of the municipal divisions referred to in the preceding sentence, we conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the special-purpose financial statements of the various municipal divisions of the Twenty-First Judicial Circuit are free of material misstatement, we performed tests of the municipal divisions' compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no material instances of noncompliance that are required to be reported under *Government Auditing Standards*. However, we noted certain other instances of noncompliance which are presented in the accompanying Management Advisory Report.

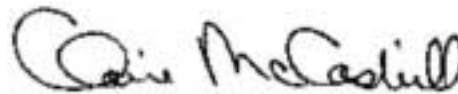
Internal Control Over Financial Reporting

In planning and performing our audit of the special-purpose financial statements of the various municipal divisions of the Twenty-First Judicial Circuit, we considered the municipal divisions' internal controls over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the special-purpose financial statements and not to provide

assurance on the internal controls over financial reporting. However, we noted certain matters involving the internal controls over financial reporting and their operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal controls over financial reporting that, in our judgment, could adversely affect the municipal divisions' ability to record, process, summarize, and report financial data consistent with the assertions of management in the special-purpose financial statements.

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material to the special-purpose financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal controls over financial reporting would not necessarily disclose all matters in the internal controls that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. However, we noted certain matters involving the internal controls over financial reporting and their operation that we consider to be material weaknesses, and these matters are presented in the accompanying Management Advisory Report.

This report is intended for the information of the management of the various municipal divisions of the Twenty-First Judicial Circuit and other applicable government officials. However, this report is a matter of public record and its distribution is not limited.

A handwritten signature in dark ink, appearing to read "Claire McCaskill". The signature is fluid and cursive, with the first name "Claire" written in a larger, more prominent script than the last name "McCaskill".

Claire McCaskill
State Auditor

February 24, 2000 (fieldwork completion date)

Financial Statements

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

		Village of Bel-Nor (Note 4)	
		Year Ended June 30,	
		1999	1998
RECEIPTS			
Fines, costs, bonds, and other	\$	123,214	119,425
Total Receipts		123,214	119,425
DISBURSEMENTS			
City treasury		114,806	114,507
State of Missouri (Note 3)		0	0
Refunds and others		2,555	3,363
Total Disbursements		117,361	117,870
RECEIPTS OVER (UNDER) DISBURSEMENTS		5,853	1,555
CASH, JULY 1		6,278	4,723
CASH, JUNE 30	\$	12,131	6,278

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

		City of Charlack	
		Year Ended June 30,	
		1999	1998
RECEIPTS			
Fines, costs, bonds, and other	\$	270,039	248,573
Total Receipts		270,039	248,573
DISBURSEMENTS			
City treasury		263,404	234,635
State of Missouri (Note 3)		0	0
Refunds and others		5,641	3,641
Total Disbursements		269,045	238,276
RECEIPTS OVER (UNDER) DISBURSEMENTS		994	10,297
CASH, JULY 1		30,325	20,028
CASH, JUNE 30	\$	31,319	30,325

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

	City of Normandy	
	Year Ended June 30,	
	1999	1998
RECEIPTS		
Fines, costs, bonds, and other	\$ 171,304	163,451
Total Receipts	171,304	163,451
DISBURSEMENTS		
City treasury	172,610	153,811
State of Missouri (Note 3)	0	0
Refunds and others	2,930	3,178
Total Disbursements	175,540	156,989
RECEIPTS OVER (UNDER) DISBURSEMENTS	-4,236	6,462
CASH, JULY 1	14,066	7,604
CASH, JUNE 30	\$ 9,830	14,066

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

	City of Overland Year Ended June 30,	
	1999	1998
RECEIPTS		
Fines, costs, bonds, and other	\$ 393,993	434,844
Total Receipts	<u>393,993</u>	<u>434,844</u>
DISBURSEMENTS		
City treasury	348,327	401,713
State of Missouri (Note 3)	0	0
Refunds and others	<u>40,794</u>	<u>52,325</u>
Total Disbursements	<u>389,121</u>	<u>454,038</u>
RECEIPTS OVER (UNDER) DISBURSEMENTS	4,872	-19,194
CASH, JULY 1	<u>38,088</u>	<u>57,282</u>
CASH, JUNE 30	<u>\$ <u>42,960</u></u>	<u><u>38,088</u></u>

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

	City of Velda City Year Ended June 30,	
	1999	1998
RECEIPTS		
Fines, costs, bonds, and other	\$ 210,829	177,381
Total Receipts	<u>210,829</u>	<u>177,381</u>
DISBURSEMENTS		
City treasury	253,028	141,909
State of Missouri (Note 3)	0	0
Refunds and others	<u>14,928</u>	<u>10,339</u>
Total Disbursements	<u>267,956</u>	<u>152,248</u>
RECEIPTS OVER (UNDER) DISBURSEMENTS	-57,127	25,133
CASH, JULY 1	<u>99,457</u>	<u>74,324</u>
CASH, JUNE 30	<u>\$ 42,330</u>	<u>99,457</u>

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

		City of Vinita Park	
		Year Ended June 30,	
		1999	1998
RECEIPTS			
Fines, costs, bonds, and other	\$	279,913	233,647
Total Receipts		279,913	233,647
DISBURSEMENTS			
City treasury		277,488	220,563
State of Missouri (Note 3)		0	0
Refunds and others		3,545	2,599
Total Disbursements		281,033	223,162
RECEIPTS OVER (UNDER) DISBURSEMENTS		-1,120	10,485
CASH, JULY 1		35,515	25,030
CASH, JUNE 30	\$	34,395	35,515

The accompanying Notes to the Financial Statements are an integral part of this statement.

Notes to the Financial Statements

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
NOTES TO THE FINANCIAL STATEMENTS

1. Summary of Significant Accounting Policies

A. Reporting Entity and Basis of Presentation

The accompanying special-purpose financial statements present only selected data for the funds administered by six municipal divisions of the Twenty-First Judicial Circuit of the state of Missouri. The remaining municipal divisions of the Twenty-First Judicial Circuit are reported on separately.

Receipts, disbursements, and changes in cash are presented for each municipal division. The operating costs of each division are paid by the respective municipality and are not included in these financial statements.

The municipal division is responsible for cash bonds posted until case disposition allows appropriate disbursement. Bond monies relating to pending cases, whether in the custody of the city or the municipal division, are included in these financial statements.

B. Basis of Accounting

The Statements of Receipts, Disbursements, and Changes in Cash are prepared on the cash basis of accounting; accordingly, amounts are recognized when they are received or disbursed. This basis of accounting differs from generally accepted accounting principles, which require revenues to be recognized when they become available and measurable or when they are earned and expenditures or expenses to be recognized when the related liabilities are incurred.

C. Fiscal Authority and Responsibility

The municipal divisions account for fines and court costs resulting from prosecution of violations of municipal ordinances before the municipal judge or received through the traffic violations bureau, as well as cash bonds posted. Municipal violations could include traffic offenses, both moving and nonmoving; parking meter and overtime parking offenses; and other violations for which amounts are received by the municipal divisions and remitted to the city treasury. The municipal divisions also may account for restitutions received and disbursed through the divisions.

2. Cash

Section 479.080, RSMo 1994, requires municipal divisions to deposit fines and court costs into the city treasury at least monthly. The divisions do not maintain bank accounts, transmitting fines and court costs directly to the city treasury. Escrow bank accounts for bond monies received may be maintained by the city or the municipal division.

At June 30, 1999 and 1998, all bank account balances reported for the municipal divisions of the Twenty-First Judicial Circuit were entirely covered by federal depositary insurance.

However, because of significantly higher bank balances at certain times during the year ended June 30, 1999, uninsured and uncollateralized balances existed at those times although not at year end for the city of Velda City Municipal Division.

To protect the safety of deposits, Section 110.020, RSMo 1994, requires depositaries to pledge collateral securities to secure deposits not insured by the Federal Deposit Insurance Corporation.

3. Disbursements to State

The municipal divisions collect various amounts that must be remitted to the state of Missouri. These amounts include the surcharges for the Crime Victims' Compensation and Services to Victims Funds, and the Peace Officer Standards and Training Commission Fund. The state's portions of these amounts are deposited into the city treasury for all municipal divisions. Amounts remitted by the cities to the state are not included in the financial statements.

4. Village of Bel-Nor

The village of Bellerive Acres contracts with the village of Bel-Nor Municipal Division to collect all monies for its court. The receipts and disbursements of the village of Bellerive Acres Municipal Division are included in the village of Bel-Nor Municipal Division's financial statements.

MANAGEMENT ADVISORY REPORT SECTION

Management Advisory Report -
State Auditor's Current Recommendations

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
MANAGEMENT ADVISORY REPORT -
STATE AUDITOR'S CURRENT RECOMMENDATIONS

We have audited the special-purpose financial statements of the various municipal divisions of the Twenty-First Judicial Circuit as of and for the years ended June 30, 1999 and 1998, and have issued our report thereon dated February 24, 2000. That report expressed a qualified opinion on the special-purpose financial statements of the city of Velda City Municipal Division for the applicable fiscal periods.

The following Management Advisory Report presents our findings and recommendations arising from our audit of the municipal divisions' special-purpose financial statements. During our audit, we also identified certain management practices which we believe could be improved. Our audit was not designed or intended to be a detailed study of every system, procedure, and transaction. Accordingly, the findings presented in the following report should not be considered as all-inclusive of areas where improvements may be needed.

1.	Village of Bel-Nor Municipal Division
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- A. The municipal division has not implemented procedures to follow up on bonds held for more than one year. An attempt should be made to determine the proper disposition of these monies. A review should be made of any bonds posted by persons who failed to make the required court appearance to determine if the bonds should be forfeited and monies paid over to the village treasury as provided by Section 479.210, RSMo 1994. For those bonds which cannot be forfeited and remain unclaimed, Sections 447.500 through 447.595, RSMo 1994, which relate to unclaimed property, should be used to disburse these monies.

- B. Monies collected for fine and court cost receipts are not deposited on a timely basis. Deposits are generally made once a week and average in excess of \$1,200. To adequately safeguard receipts and reduce the risk of loss or misuse of funds, deposits should be made intact daily or when accumulated receipts exceed \$100.

This condition was noted in our prior report.

- C. The duties of receiving, recording, depositing, and disbursing fine, court cost, and bond monies collected by the municipal division are not adequately segregated. Currently, the Court Clerk performs all of these duties. The village's accounting service prepares the monthly bank reconciliation for the bond account. To safeguard against possible loss or misuse of funds, internal controls should provide reasonable assurance that all transactions are accounted for properly and assets are adequately safeguarded. Since this is an office of one employee and proper segregation of duties cannot be achieved, at a minimum,

there should be a documented independent comparison of receipt slips issued to amounts deposited.

This condition was noted in our prior report.

- D. The municipal division does not file a monthly report with the village of all cases heard in court. Section 479.080.3, RSMo 1994, requires the Court Clerk to prepare monthly reports of all cases heard in court, including fines and court costs collected, to be verified by the Court Clerk or Municipal Judge and filed with the Village Clerk.
- E. The municipal division did not always forward records of convictions on traffic offenses to the Missouri State Highway Patrol (MSHP). Three of nineteen applicable items reviewed were not sent to the MSHP as required. Section 302.225, RSMo Cum. Supp. 1999, requires records of “any pleas or findings of guilty” on traffic violations under the laws of the state, county, or municipal ordinance to be forwarded to the MSHP within ten days of the conviction date.

WE RECOMMEND the village of Bel-Nor Municipal Division:

- A. Follow up on all bonds held for more than one year and dispose of bonds in accordance with state law. Procedures should be established to routinely follow-up on cash bonds remaining on hand over a period of time.
- B. Deposit receipts daily or when accumulated receipts exceed \$100.
- C. Establish a documented review of municipal division records by an independent person.
- D. Prepare monthly reports of court actions and file these with the village in accordance with state law.
- E. Forward all records of convictions on traffic offenses to the MSHP within ten days as required by state law.

AUDITEE'S RESPONSE

The Municipal Judge and Court Clerk responded as follows:

- A. *Since the time of the auditor’s visit, the Court Clerk has followed up on bonds held for more than a year by requesting the form from the State Treasurer’s Office in an attempt to dispose of said monies. A review has now been made of bonds posted by persons who failed to make the required court appearance and these have been turned over to the village treasury. The Court Clerk will review outstanding bonds monthly for those not disbursed.*

- B. *In an attempt to see that the deposits are made in a more timely manner, the Court Clerk will monitor receipts more frequently to determine if there are monies in excess of \$100.*
- C. *The receipt numbers of fines and court costs collected are now agreed and balanced to an income report showing the receipt numbers and amounts collected. There is also now a monthly bond deposit report which shows the receipt number with the date received, deposit date and amount posted. We will speak with the city about having an independent person to spot check income and receipts.*
- D. *The Court Clerk will immediately begin filing with the village an income report of the amounts of fines and court costs collected, along with the usual docket of all cases heard in court which will be verified by the Municipal Judge and filed with the Village Clerk.*
- E. *The Court Clerk does try to forward all convictions on traffic violations to the MSHP. The Court Clerk will now check weekly for convictions which need to be forwarded to MSHP.*

2.	City of Charlack Municipal Division
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- A. Monthly listings of bond open items (liabilities) are not prepared. The municipal division did not maintain a bond ledger prior to 1997. Open items identified from the bond ledger at June 30, 1999 totaled \$3,507 less than the balance in the bond account. However, bonds prior to 1997 were not in the bond ledger and thus any open bonds prior to 1997 have not been included in that total. A monthly listing of open items is necessary to ensure proper accountability over open cases and to ensure monies held in trust by the city are sufficient to meet liabilities.

An attempt should be made to identify and determine the proper disposition of these excess monies. For those bonds which remain unclaimed, Section 447.595, RSMo 1994, requires bonds remaining unclaimed for one year after disposition of the case be turned over to the state's Unclaimed Property Section.

This condition was noted in our prior report.

- B. Monies collected are not deposited intact on a timely basis. Deposits are generally made once a week and average in excess of \$3,000. In addition, personal checks are sometimes cashed for the Court Clerk from official court receipts. To adequately safeguard receipts and reduce the risk of loss or misuse of funds, deposits should be made intact daily or when accumulated receipts exceed \$100.

This condition was noted in our prior report.

- C. The municipal division accepts cash, checks, and money orders for the payment of fines and court costs. While receipt slips issued by the court indicate the method of payment received, no reconciliation is performed between the composition of receipt slips issued by the court and deposits. To ensure receipts are deposited intact, the composition of receipt slips issued should be reconciled to the composition of monies deposited.

A similar condition was noted in our prior report.

- D. The duties of receiving, recording, and depositing monies collected by the municipal division are not adequately segregated. Currently, the Court Clerk performs all of these duties. To safeguard against possible loss or misuse of funds, internal controls should provide reasonable assurance that all transactions are accounted for properly and assets are adequately safeguarded. Since this is an office of one employee and proper segregation of duties cannot be achieved, at a minimum, there should be a documented independent comparison of receipt slips issued to amounts deposited.

This condition was noted in our prior report.

- E. Neither the police department nor the municipal division account for all traffic tickets and summonses issued and their ultimate disposition. The Court Clerk prepares a monthly log of traffic tickets and summonses issued; however, no one reviews this information for missing numbers. Without a proper accounting of the numerical sequence and dispositions of traffic tickets and summonses issued, the police department and the municipal division cannot be assured all traffic tickets and summonses issued were properly submitted to the municipal division for processing, voided, or not prosecuted. A record of the ultimate disposition of each item should also be maintained to ensure all traffic tickets and summonses have been accounted for properly.

This condition was noted in our prior report.

- F. During our review, we noted the following concerns with the collection of fees:

- 1) Law Enforcement Training (LET) fees are not assessed on non-moving violations. Section 590.140, RSMo Cum. Supp. 1999, requires these fees be charged on all violations except for dismissed cases.

A similar condition was noted in our prior report.

- 2) Peace Officer Standards and Training Commission (POSTC) fees were not assessed or collected. Section 590.140, RSMo Cum. Supp. 1999, requires these fees to be charged on all court cases for violations of municipal ordinances, except for cases dismissed by the court.

WE RECOMMEND the city of Charlack Municipal Division:

- A. Prepare monthly listings of open items and reconcile the listing to monies held in trust. The municipal division should attempt to identify to whom the \$3,507 belongs, and disburse the funds appropriately. If this cannot be determined, the unidentified bond monies should be turned over to the state's Unclaimed Property Section in accordance with state law.
- B. Deposit receipts intact daily or when accumulated receipts exceed \$100. In addition, the court should discontinue cashing personal checks with official receipts.
- C. Reconcile the composition of receipt slips issued to the composition of deposits.
- D. Establish a documented periodic review of municipal division records by an independent person.
- E. Work with the police department to ensure the numerical sequence and ultimate disposition of all traffic tickets and summonses issued are accounted for properly.
- F. Assess and collect LET and POSTC fees in accordance with state law.

AUDITEE'S RESPONSE

The Court Clerk responded as follows:

- A. *This recommendation will be implemented for June 2000.*
- B. *This recommendation will not be fully implemented. I do not have time to deposit more often. However, I will cease cashing personal checks.*
- C. *This recommendation will be implemented immediately.*
- D. *This recommendation will be discussed with the city.*
- E. *I prepare the monthly report of tickets issued, but it is the police department's responsibility to follow up on missing tickets.*
- F. *These recommendations have now been implemented.*

3. City of Normandy Municipal Division

- A. The police department accepts cash for bonds. The Court Clerk does not issue receipt slips for bond monies transmitted from the police department. To document the monies have been transmitted, a receipt slip should be issued for each transmittal of bond monies.
- B. Monies collected are not deposited/transmitted intact on a timely basis. Transmittals of fine and court cost monies are generally made one to two times a week and average in excess of \$2,000, and deposits of bond monies are generally made once a week and average in excess of \$650. To adequately safeguard receipts and reduce the risk of loss or misuse of funds, deposits/transmittals should be made intact daily or when accumulated receipts exceed \$100.

This condition was noted in our prior report.

- C. The duties of receiving, recording, depositing/transmitting and disbursing fines, court costs, and bond monies collected by the municipal division are not adequately segregated. Currently, the Court Clerk performs all of these duties. The City Treasurer reviews the bank reconciliation prepared by the Court Clerk. To safeguard against possible loss or misuse of funds, internal controls should provide reasonable assurance that all transactions are accounted for properly and assets are adequately safeguarded. Since this is an office of one employee and proper segregation of duties cannot be achieved, at a minimum, there should be a documented independent comparison of receipt slips issued to amounts deposited/transmitted.

This condition was noted in our prior report.

- D. Between February 1997 and September 1999, the city of Normandy overpaid the Kathy J. Weinman Shelter approximately \$1,362 in domestic violence fees. The report provided to the city by the court, which is used to compute the domestic violence fee to be disbursed, incorrectly included this fee each time a payment was made rather than once per case. Thus, if partial payments were made on a case, more fees for domestic violence were reported than actually collected. The city should contact the shelter to make arrangements to adjust future domestic violence payments for the amount overpaid. Other court costs and fees were calculated correctly.
- E. Neither the police department nor the municipal division account for all tickets issued and their ultimate disposition. The Court Clerk prepares a monthly log of tickets issued; however, no one reviews this information for missing ticket numbers. Without a proper accounting of the numerical sequence and dispositions of tickets issued, the police department and the municipal division cannot be assured all tickets issued were properly submitted to the municipal division for processing, voided, or not prosecuted. A record of the ultimate disposition of each ticket should also be maintained to ensure all tickets have been accounted for properly.

- F. The municipal division did not always forward records of convictions on traffic offenses to the Missouri State Highway Patrol (MSHP). Nine of twenty-seven applicable items reviewed were not sent to the MSHP as required. Section 302.225, RSMo Cum. Supp. 1999, requires records of “any pleas or findings of guilty” on traffic violations under laws of the state, county, or municipal ordinances to be forwarded to the MSHP within ten days of the conviction date.

WE RECOMMEND the city of Normandy Municipal Division:

- A. Issue prenumbered receipt slips to the police department for all bond monies received from the police department.
- B. Transmit/deposit receipts intact daily or when accumulated receipts exceed \$100.
- C. Establish a documented periodic review of municipal division records by an independent person.
- D. Correct the reports of domestic violence fees, notify the city of the errors, and ensure that the city contacts the shelter to make arrangements to adjust future domestic violence payments for the overpayment of \$1,362.
- E. Work with the police department to ensure the numerical sequence and ultimate disposition of all tickets issued are accounted for properly.
- F. Forward all records of convictions on traffic offenses to the MSHP within ten days as required by state law.

AUDITEE'S RESPONSE

The Court Clerk responded as follows:

- A. *I have now begun initialing and dating the initial bond receipt slips upon removing the bonds from the bond lockbox.*
- B. *Unfortunately, I do not have the time to make a daily deposit without slighting other duties just as important.*
- C. *I have implemented a program where the Finance Director checks my amount of cash and checks received against my receipt book and verifies this with the deposit. This procedure was started in January 2000.*

- D. *I have sent letters to our City Attorney in regards to this error, to which he recommended that we wait for the conclusion of the audit. Upon conclusion of the audit, we will take action to recoup the funds.*
- E. *We have been unable to do a proper accounting of the tickets due to a lack of manpower. If additional staff becomes available, this will be corrected.*
- F. *This procedure has been corrected as of the February 2000 court date.*

4. City of Overland Municipal Division

- A. The municipal division accepts cash, checks, and money orders for fines and court costs. Prenumbered receipt slips issued by the court do not always indicate the method of payment received. In addition, no one accounts for the numerical sequence of receipt slips issued. To ensure receipts are transmitted intact, the method of payment received should be indicated on the receipt slips. The numerical sequence of receipt slips issued should be accounted for properly and the composition of receipt slips issued should be reconciled to the composition of monies transmitted.

This condition was noted in our prior report.

- B. The Prosecuting Attorney does not initial or sign the case file to document his approval of an amendment of a ticket. To ensure the proper disposition of all cases has been entered in the court records, the Prosecuting Attorney should sign all amended case files.

WE RECOMMEND the city of Overland Municipal Division:

- A. Record the method of payment on all receipt slips issued and ensure someone at the city accounts for the numerical sequence of receipt slips issued, reconciles the composition of receipts to the composition of monies transmitted, and documents the composition on the receipt slip prepared by the city.
- B. Require the Prosecuting Attorney's signature on amended cases.

AUDITEE'S RESPONSE

The Municipal Judge and Assistant Court Clerk responded as follows:

A&B. These recommendations have now been implemented.

A. During our review, we noted the following concerns relating to bonds:

- 1) The Court Clerk does not maintain a complete bond ledger and does not prepare monthly listings of open items (liabilities). Numerous bond receipts and disbursements were not recorded on the bond ledger. On June 30, 1999, the reconciled cash balance of the bond account was \$40,420.

A bond ledger indicating date and amount of receipt and date of disbursement is necessary to ensure proper accountability over bonds. A monthly listing of open items is necessary to ensure monies held in trust by the municipal court division are sufficient to meet liabilities. In addition, a review should be made of any bonds posted by persons who failed to make the required court appearance to determine if the bonds should be forfeited and monies paid over to the city treasury as provided by Section 479.210, RSMo 1994. For those bonds which cannot be forfeited and remain unclaimed, Sections 447.500 through 447.595, RSMo 1994, which relate to unclaimed property, should be used to disburse these monies.

This condition was noted in our prior report.

- 2) Formal bank reconciliations are not prepared for the city's bond account and a checkbook balance is not maintained. To ensure all differences between the bank and book balances are noted in a timely manner, formal bank reconciliations should be performed monthly and a balance should be maintained in the checkbook register.
- 3) The amounts remitted to the city from the bond account could not be identified by defendant. The Court Clerk prepares a Treasurer's warrant which lists the bonds to be forfeited or applied; however, copies of these warrants could not be located. To adequately account for all monies turned over to the city, appropriate detail should be retained to support that amount.

B. The duties of receiving, recording, and depositing monies collected by the municipal division are not adequately segregated. Currently, the Court Clerk performs all of these duties. In addition, the composition of receipt slips issued is not reconciled to the composition of monies deposited. To safeguard against possible loss or misuse of funds, internal controls should provide reasonable assurance that all transactions are accounted for properly and assets are adequately safeguarded. Since this is an office of one employee and proper segregation cannot be achieved, at a minimum, there should be a documented independent comparison of receipt slips issued to amounts deposited.

This condition was noted in our prior report.

- C. Neither the police department nor the municipal division account for all tickets issued and their ultimate disposition. The Court Clerk records the tickets issued on a computer; however, no one reviews this information for missing ticket numbers. Without a proper accounting of the numerical sequence and dispositions of tickets issued, the police department and the municipal division cannot be assured all tickets issued were properly submitted to the municipal division for processing, voided, or not prosecuted. A record of the ultimate disposition of each ticket should also be maintained to ensure all tickets have been accounted for properly.
- D. Crime Victims Compensation (CVC) and Post Officer Standards and Training Commission (POSTC) fees were not distributed to the state between July 1997 and December 1998. The Court Clerk indicated that she had calculated the amount of fees owed to the state each month; however, the City Treasurer did not issue a check for such fees. Copies of the fee reports were not maintained for these months; thus, the amount due to the state could not be readily determined.

In addition, our prior report noted the city had not distributed any of the CVC funds to the state Department of Revenue (DOR) from September 1996 to June 1997. As a result, \$11,000 was due from the city to the DOR for CVC fees collected during that period. Currently, this amount still has not been paid to the DOR.

Section 595.045, RSMo Cum. Supp. 1999, requires CVC fees to be distributed at least monthly to the state. POSTC fees should also be disbursed monthly to the state.

- E. The municipal division did not always forward required records of convictions on traffic offenses to the Missouri State Highway Patrol (MSHP). Twenty of twenty-two applicable items reviewed were not sent to the MSHP as required. Section 302.225, RSMo 1994, requires records of “any pleas or findings of guilty” on traffic violations under the laws of the state, county, or municipal ordinance to be forwarded to the MSHP within ten days of the conviction date.

WE RECOMMEND the city of Velda City Municipal Division:

- A.1. Maintain a bond ledger and prepare monthly listings of open items and reconcile the listing to the balance in the bank account. In addition, the municipal court division should forfeit any bonds for persons who failed to make the required court appearance, and attempt to locate those defendants who have a bond due back to them and remit the bond amount. Any bond monies remaining unclaimed should be remitted to the state in accordance with state law.

2. Request the city perform and document monthly bank reconciliations for the bond account. In addition, a balance should be maintained in the checkbook.
 3. Maintain documentation to support disbursements of bonds forfeited and applied.
- B. Establish a documented periodic review of municipal division records by an independent person, including a reconciliation of the composition of receipt slips issued to the composition of monies deposited.
 - C. Work with the police department to ensure the numerical sequence and ultimate disposition of all tickets issued are accounted for properly.
 - D. Ensure CVC and POSTC fees collected are remitted to the state in accordance with state law. In addition, the municipal division should determine the amount of unremitted fees due to the state and make the appropriate payment.
 - E. Ensure all records of convictions on traffic offenses are forwarded to the MSHP as required by state law.

AUDITEE'S RESPONSE

The Court Clerk responded as follows:

- A. *I am now going to enter each bond into the computer when received, including the defendant's name and surety name if there is one. When the checks are issued, they will have the defendant's name or surety's name. When reconciled at the end of the month, the balance will show what is actually in the bank account up-to-date. The Treasurer and I will make sure that the bank account and checkbook balance. There will also now be a bond ledger with the defendant and surety name, address, amount of bond, date received, date released, court date, check number, and a balance. I will also keep a copy of the listing of bonds to be applied and forfeited. These changes will be implemented immediately.*
- B. *The City Treasurer has started, and will continue, to reconcile the receipts to the deposit slip on an occasional basis.*
- C. *The Police Department and I have agreed on a new system to keep up with the tickets. The Chief of Police will initial off on a list of issued tickets that has all the tickets that are assigned to each officer. The list will indicate the date the ticket was turned in. The tickets' sequence is twenty-five and this will show any missing tickets.*
- D. *Records are going to be pulled to show what is owed and this amount will be paid. We will address this immediately.*

- E. *The computer was updated to REJIS and every transaction will be sent online to MSHP. This has already been implemented.*

6. City of Vinita Park Municipal Court

A. During our review, we noted the following concerns with bonds:

- 1) Monthly listings of open items (liabilities) are not reconciled to the available cash balance. At June 30, 1999, the open items listing totaled \$1,536 less than the balance of bonds in the bond account. We noted the following errors in preparation of this reconciliation:

- * The Court Clerk disbursed \$500 more to the city than shown on the monthly report of bonds forfeited and applied for December 1997.
- * The Court Clerk failed to disburse \$2,711 to the city shown on the monthly report of bonds forfeited and applied for February 1998.
- * The Court Clerk disbursed \$875 in bonds during the audit period which were not removed from the open items list.

After adjustment for the above errors, the open items listing totaled \$200 less than the balance in the bond account. The Court Clerk should disburse monies to the city and make adjustments to her open items listing to correct the errors noted above. In addition, the \$200 difference should be investigated and the excess funds disbursed appropriately.

Monthly listings of open items should be reconciled to monies held in trust by the city to ensure proper accountability over open cases and ensure monies held in trust by the court are sufficient to meet liabilities.

This condition was noted in our prior report.

- 2) Bonds forfeited or applied to fines and court costs are not remitted to the city on a timely basis. The Court Clerk prepares a monthly report of bonds to be forfeited or applied to fines and court costs. Although the Court Clerk prepared a report for every month, only five disbursements were made to the city from January 1, 1998 to June 30, 1999.

This condition was noted in our prior report.

- 3) The municipal division has not implemented procedures to follow up on bonds held for over one year. As of June 30, 1999, the balance of the city's bond escrow account included bond receipts totaling approximately \$1,900 which have been held in excess of one year.

An attempt should be made to determine the proper disposition of these monies. A review should be made of any bonds posted by persons who failed to make the required court appearance to determine if the bonds should be forfeited and monies paid over to the city treasury as provided by Section 479.210, RSMo 1994. For those bonds which cannot be forfeited and remain unclaimed, Sections 447.500 through 447.595, RSMo 1994, which relate to unclaimed property, should be used to disburse these monies.

- 4) The municipal division accepts cash, checks, and money orders for bonds, and the police department accepts cash and money orders for bonds. Receipt slips issued by the police department do not indicate the method of payments received. In addition, no one accounts for the numerical sequence of the receipt slips issued by the court and no reconciliation is performed between the composition of receipt slips issued by the court and police department, and monies transmitted to the city or the municipal division.

To ensure receipts are transmitted intact, the method of payment received should be indicated on the receipt slips and the numerical sequence of receipt slips should be accounted for properly. Furthermore, the composition of receipt slips issued should be reconciled to the composition of monies transmitted.

This condition was noted in our prior report.

- B. Monies collected are not transmitted on a timely basis. Transmittals are generally made once a week and average in excess of \$1,900. To adequately safeguard receipts and reduce the risk of loss or misuse of funds, transmittals should be made intact daily or when accumulated receipts exceed \$100.

This condition was also noted in our prior report.

WE RECOMMEND the city of Vinita Park Municipal Division:

- A.1. Reconcile monthly listings of open items to monies held in trust by the city. In addition, the \$200 difference should be investigated and the excess funds disbursed appropriately.
2. Disburse bonds forfeited and applied to the city monthly as required by state law.

3. Follow-up on all bonds held for more than one year and dispose of bonds in accordance with state law. Procedures should be established to routinely follow up on cash bonds remaining on hand over a period of time.
 4. Record the method of payment on all receipt slips issued and ensure someone at the city accounts for the numerical sequence of receipt slips issued and reconciles the composition of receipt slips to the composition of monies transmitted.
- B. Transmit receipts daily or when accumulated receipts exceed \$100.

AUDITEE'S RESPONSE

The Municipal Judge and Court Clerk responded as follows:

- A.1. *This was taken care of when the auditors were here. We will disburse any extra monies after all information is entered into our new computer system.*
2. *The bonds are now remitted on a timely basis and we will ensure they are remitted monthly in the future. This was not done during the time period noted due to problems with the reconciliation and the computer. Reconciliations were done in bulk and the checks were being turned over for three or four months at a time trying to catch up.*
 3. *Bonds held over one year's time are due to the clientele we have in our court. Defendants pay on a case for a long period of time during which they keep their bond in effect, whether it takes two months or two years. We will continue to monitor old bonds.*
 4. *The Court Clerk marks the receipt if payment is by check and notes the check number on the receipt. This may sometimes be overlooked, but we try to remember. However, we do not mark when it is a money order but will start to do this. Also, the Police Department will be marking receipt numbers on envelopes so they are receipted by the court in the correct order. We will also discuss the issue of an independent reconciliation with the city.*
- B. *We agree with this recommendation and will discuss with the city about depositing more than once a week.*

This report is intended for the information of the management of the various municipal divisions of the Twenty-First Judicial Circuit and other applicable government officials. However, this report is a matter of public record and its distribution is not limited.

Follow-Up on State Auditor's Prior Recommendations

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
FOLLOW-UP ON STATE AUDITOR'S PRIOR RECOMMENDATIONS

This section reports follow-up action taken by the municipal divisions of the Twenty-First Judicial Circuit on recommendations made in the Management Advisory Report (MAR) of our reports issued on the Twenty-First Judicial Circuit Municipal Divisions issued for the years ended June 30, 1995, 1994, and 1993, and our report on the city of Velda City for the year ended June 30, 1997. The prior recommendations which have not been implemented, but are considered significant, have been repeated in the current MAR. Although the remaining unimplemented recommendations have not been repeated, the municipal divisions should consider implementing these recommendations.

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS

1. Village of Bel-Nor Municipal Division

- A.1. A separate bond account was not maintained. All bond monies were deposited into the General Revenue Account for the village, and the village did not keep track of the balance of bond money held.
- 2. The Court Clerk did not maintain a bond ledger and did not prepare a monthly listing of open items (liabilities).
- B. Receipts of fines and court costs were not deposited on a timely basis.
- C. The duties of receiving, recording, and depositing monies collected by the municipal division were not adequately segregated.

Recommendation:

- A.1. Maintain a separate bank account for the deposit of bond monies.
- 2. Maintain a bond ledger, prepare a monthly listing of open items, and reconcile these listings to monies held in trust.
- B. Deposit receipts daily or when accumulated receipts exceed \$100.
- C. Adequately segregate duties between available employees and/or establish a documented periodic review of municipal division records by an independent person.

Status:

A.1.
& 2. Implemented.

B&C. Not implemented. See MAR No. 1.

2. City of Charlack Municipal Division

A.1. Fines and court costs collected by the police department, totaling \$548, were not receipted by the Court Clerk or transmitted to the City Clerk for deposit.

2. Checks and money orders were not restrictively endorsed until deposits were prepared.

3. Receipts were not transmitted intact on a timely basis.

4. Receipt slips issued by the municipal division did not always indicate the method of payments received. In addition, the composition of the receipt slips issued was not reconciled to the composition of transmittals.

5. The Court Clerk did not issue receipt slips to the police department for fine and cost monies transmitted from the police department.

B.1. The police department receipt log did not indicate the method of payment received.

2. Some monies received by the police department were not posted to the receipt log.

C.1. Monthly listings of bond open items (liabilities) were not prepared after March 1995.

2. The Court Clerk did not prepare formal bank reconciliations for the municipal division's bond bank account.

3. Bond receipts were not deposited on a timely basis.

4. The balance in the municipal division's bond account included bond receipts totaling \$877 which had been held in excess of one year.

5. The duties of receiving, recording, and depositing bond monies collected by the municipal division were not adequately segregated.

D. Neither the police department nor the municipal division maintained adequate records to account for city summonses issued.

E.1. The \$5 ILC fee was not collected on alcohol-related offenses.

2. CVC fees were collected on all violations, including nonmoving traffic violations. LET fees were collected on dismissed cases.
- F. Four of sixty-three case files (6 percent) selected for review could not be located.

Recommendation:

- A.1. Along with the city, review the situation and take necessary actions to obtain restitution of at least \$548.
 2. Restrictively endorse checks and money orders immediately upon receipt.
 3. Transmit all receipts intact to the City Clerk daily or whenever accumulated receipts exceed \$100.
 4. Indicate the method of payment on all receipt slips issued and reconcile total cash, checks, and money orders received to transmittals to the city.
 5. Issue prenumbered receipt slips to the police department for all fine and cost monies received from the police department.
- B. Request the police department to issue prenumbered receipt slips for all monies received and account for their numerical sequence. The receipt slips should indicate the method of payment and should be reconciled by an independent person to monies deposited or transmitted.
- C.1. Prepare monthly listings of open items and reconcile these listings to monies held in trust.
2. Perform monthly bank reconciliations.
 3. Deposit bond receipts daily or when accumulated receipts exceed \$100.
 4. Review all cases with open bonds to determine whether the bonds should be forfeited, applied or refunded. Any bonds in which the defendant cannot be located, should be disbursed to the state's Unclaimed Property Section in accordance with state law.
 5. Adequately segregate the duties between available employees and/or establish a documented periodic review of municipal division records by an independent person.
- D. Work with the police department to ensure records are maintained to account for the numerical sequence of all city summonses issued.
- E.1. Assess the ILC fee in accordance with state law.

2. Assess and remit the CVC and LET fees in accordance with state law.
- F. Retain all case records in accordance with Supreme Court Administrative Rule 8.

Status:

A.1. Implemented. The former Court Clerk was ordered to pay restitution.

A.2.,

B., C.2.,

E.1.,

& F. Implemented.

A.3.,

C.1.,

C.3.,

C.5.,

& D. Not implemented. See MAR No. 2.

A.4. Partially implemented. The Court Clerk indicates the method of payment on receipt slips issued; however, no one reconciles the composition of receipt slips issued to the composition of transmittals. See MAR No. 2.

A.5. Partially implemented. The Court Clerk does not issue a prenumbered receipt slip to the police department; however, she does initial their receipt slip to indicate her receipt of the monies.

C.4. Partially implemented. The Court Clerk disbursed some monies to the Unclaimed Property Section as recommended; however, there are additional monies which need to be disbursed. While not repeated in the current MAR, the municipal division should consider fully implementing this recommendation.

E.2. Partially implemented. The Court Clerk assesses and collects CVC in accordance with state law; however, additional problems were noted with the LET fee. See MAR No. 2.

3. City of Normandy Municipal Division

A.1. The duties of receiving, recording, and transmitting monies collected by the municipal division were not adequately segregated.

2. Receipts were not transmitted to the city on a timely basis.

3. Checks and money orders were not restrictively endorsed immediately upon receipt.

- B.1. The \$5 ILC fee was not collected on alcohol-related offenses.
- 2. The CVC and LET fees were not collected on city ordinance violations.

Recommendation:

- A.1. Adequately segregate duties between available employees and/or establish a documented periodic review of municipal division records by an independent person.
 - 2. Transmit receipts intact daily or when accumulated receipts exceed \$100.
 - 3. Restrictively endorse all checks and money orders immediately upon receipt.
- B.1. Assess the ILC fee in accordance with state law.
 - 2. Assess and remit CVC and LET fees in accordance with state law.

Status:

- A.1.&
- A.2. Not implemented. See MAR No. 3.
- A.3.,
- & B. Implemented.

4. City of Overland Municipal Division

- A. Receipt slips issued by the court did not always indicate the method of payments received.
- B. Neither the police department nor the court accounted for the numerical sequence of traffic tickets or non-traffic summonses issued.
- C. The Municipal Judge did not sign the docket after dispositions were recorded.

Recommendation:

- A. Record the method of payment on all receipt slips issued and ensure someone at the city reconciles the composition of receipt slips issued to the composition of monies transmitted and documents the composition on the receipt slip prepared by the city.
- B. Work with police department to account for the numerical sequence of traffic tickets and non-traffic summonses issued and investigate any gaps in the numerical sequence.

- C. Require the judge's signature on the court dockets.

Status:

- A. Not implemented. See MAR No. 4.

B&C. Implemented.

5. City of Vinita Park Municipal Division

- A.1. Monthly listings of open items (liabilities) were not always prepared. The total of the list of open bonds was \$9,909 less than the balance of bonds in the bank account.
 - 2. Bonds forfeited or applied to fines and court costs were not transferred from the bond account to the city general revenue account on a timely basis.
 - 3. Receipt slips issued by the Court Clerk for bonds did not indicate the method of payments received.
- B. Receipts were not transmitted to the city on a timely basis.
- C. Checks and money orders were not restrictively endorsed until the bank deposits were prepared.
- D. The City Treasurer did not disburse CVC monies to the state on a timely basis and had not disbursed some fees at all.
- E. The Municipal Judge did not sign the docket after dispositions were recorded.
- F. The Municipal Judge had not issued a court order to formally establish the TVB.
- G. The court did not file with the city a monthly report of all cases heard in court.

Recommendation:

- A.1. Prepare monthly listings of open items and reconcile this listing to the balance in the bank account. In addition, the \$9,909 difference should be investigated and the excess funds disbursed appropriately.
 - 2. Request the City Treasurer to make timely transfers from the bond account to the general revenue account.

3. Record the method of payment on all receipt slips issued and reconcile the composition of receipt slips to the composition of monies transmitted to the city.
- B. Transmit receipts to the city daily or when accumulated receipts exceed \$100.
- C. Restrictively endorse all checks and money orders immediately upon receipt.
- D. Request the City Treasurer properly remit CVC fees to the state in accordance with state law.
- E. Require the judge's signature on the court dockets.
- F. Issue a court order to formally establish the TVB.
- G. Prepare monthly reports of court actions and file these with the city in accordance with state law.

Status:

- A.1. Partially implemented. The Court Clerk prepares a monthly open items listing; however she does not reconcile the listing to the balance in the bank account. See MAR No. 6.
- A.2.,
& B. Not implemented. See MAR No. 6.
- A.3. Partially implemented. The municipal division indicates the method of payment on all receipt slips; however, the composition of receipt slips is not reconciled to the composition of monies transmitted to the city. See MAR No. 6.
- C-G. Implemented.

CITY OF VELDA CITY

Municipal Court

- A.1. The municipal division did not periodically reconcile the police department's records of bonds collected with monies turned over to the municipal court division. In a few instances the bond amount on the police department receipt slip did not agree to the municipal division's records.
2. The Court Clerk did not maintain a complete bond ledger and did not prepare monthly listings of open items (liabilities). The balance included bond receipts totaling \$13,356 which had been held in excess of one year.

3. Bond monies collected by the police department were not transmitted to the municipal division on a timely basis.
- B.1. Receipt slips issued by the municipal court division were not reconciled to the deposits.
 2. Checks and money orders were not restrictively endorsed immediately upon receipt.
 3. The duties of receiving, recording, and depositing bond, fine, and court cost monies collected by the municipal division were not adequately segregated.
 4. Receipts of fines and court costs were not deposited intact. Personal checks were frequently cashed for the former Mayor from municipal division receipts.
- C. The municipal division did not report cases paid through the Traffic Violation Bureau (TVB) on the court docket.
- D. The Municipal Judge did not sign the court docket after case dispositions were recorded.
- E. Court case records were not always filed in an organized manner. Fifty-one case files requested for review could not be located by the Court Clerk.
- F. The TVB schedule did not include all offenses that may be paid prior to the court date and the corresponding fine amount.

Recommendation:

- A.1. Reconcile bond monies received by the police department to the municipal court division's records.
 2. Maintain a bond ledger and prepare monthly listings of open items and reconcile the listing to the balance in the bank account. In addition, the municipal court division should forfeit any bonds for persons who failed to make the required court appearance, and attempt to locate those defendants who have a bond due back to them and remit the bond amount. Any bond monies remaining unclaimed should be remitted to the state in accordance with state law.
 3. Ensure bond receipts are transmitted to the court intact daily or when accumulated receipts exceed \$100.
- B.1. Reconcile the amount and composition of monies received per receipt slips issued to monies deposited to the bank.
 2. Restrictively endorse all checks and money orders immediately upon receipt.

3. Adequately segregate the duties between available employees and/or establish a documented periodic review of receipt records by an independent person.
 4. Deposit all monies received intact.
- C. Include all cases on the court docket as required by state law.
 - D. Require the Municipal Judge to review all court dockets for propriety and sign the dockets.
 - E. Retain all municipal court division records in accordance with Supreme Court Administrative Rule 8.
 - F. Establish a schedule of all offenses and the related fines and court costs which may be collected at the TVB.

Status:

A.1.,
 A.3.,
 B.2.,
 B.4.,
 C., E.,
 & F. Implemented.

A.2.,
 B.1.,
 & B.3. Not implemented. See MAR No. 5.

- D. Partially implemented. The Municipal Judge reviews and signs the trial docket; however, he does not review or sign the final court docket. While not repeated in the current MAR, the municipal division should consider fully implementing this recommendation.

STATISTICAL SECTION

History, Organization, and
Statistical Information

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
HISTORY, ORGANIZATION,
AND STATISTICAL INFORMATION

Organization

The Twenty-First Judicial Circuit is composed of St. Louis County. The Honorable Robert S. Cohen serves as Presiding Judge. This report includes six of the eighty-four municipal divisions within the Twenty-First Judicial Circuit.

The municipal divisions are governed by Chapter 479, RSMo 1994, and by Supreme Court Rule No. 37 entitled "Ordinance Violations and Traffic Violations Bureau (TVB)." Section 479.050, RSMo 1994, provides that each municipal division may establish a TVB in which fines and costs are collected at times other than during court and transmitted to the city treasury.

Operating Costs

The operating costs and court salaries of each municipal division are paid by the respective municipality.

Municipal Division Organization, Personnel, and Caseload Information

1. Village of Bel-Nor

Organization

The Court Clerk is responsible for recording transactions as well as handling collections. The Village Clerk receives payments of fines, costs, and bonds when the Court Clerk is not present. The Court Clerk and the police department collect bond monies. The police department places bond monies in a locked box. The Court Clerk retrieves these monies from the locked box daily. Fines, court costs, and bond monies collected are deposited by the Court Clerk into the village treasury approximately weekly. Bond monies are held in the village treasury pending disposition. Court is held once a month. A TVB receives payments of fines and court costs at times other than during court. As indicated in Note 4 to the Financial Statements, village of Bel-Nor Municipal Division personnel also handle municipal court activity for the village of Bellerive Acres. In doing so, they perform the same functions as noted above.

Personnel

Municipal Judge
Court Clerk

Sean O'Hagen
Diana Krosnicki

Caseload Information

	<u>Year Ended June 30,</u>	
	<u>1999</u>	<u>1998</u>
Number of tickets issued	2,407	1,887

2. City of Charlack

Organization

The Court Clerk is responsible for recording transactions as well as handling collections. The City Clerk receives payments of fines, costs, and bonds when the Court Clerk is not present. The Court Clerk and the police department collect bond monies. The police department places bond monies in a locked box. The Court Clerk retrieves these monies from the locked box daily. Fines, court costs, and bond monies collected are deposited by the Court Clerk into the city treasury approximately weekly. Bond monies are held in the city treasury pending disposition. Court is held twice a month. A TVB receives payments of fines and court costs at times other than during court.

Personnel

Municipal Judge	Joseph A. Lott
Court Clerk	Stephanie Haywood

Caseload Information

	<u>Year Ended June 30,</u>	
	<u>1999</u>	<u>1998</u>
Number of tickets issued	3,996	4,988

3. City of Normandy

Organization

The Court Clerk is responsible for recording transactions as well as handling collections. The Court Clerk and the police department collect bond monies. The police department places bond monies in a locked box. The Court Clerk retrieves these monies from the locked box daily. Fines and court costs collected are transmitted by the Court Clerk approximately twice a week to the finance officer for deposit into the city treasury. Bond monies are deposited approximately weekly by the Court Clerk into a municipal division account pending disposition. Court is held once a month. A TVB receives payments of fines and court costs at times other than during court.

Personnel

Municipal Judge
Court Clerk

Victor Thompson
Alix Kirtland

Caseload Information

	<u>Year Ended June 30,</u>	
	<u>1999</u>	<u>1998</u>
Number of tickets issued	2,992	2,829

4. City of Overland

Organization

The Court Clerk, Assistant Court Clerk, and other clerks are responsible for recording transactions as well as handling collections. The police department collects bond monies and places these monies in a locked safe. The Court Clerk retrieves bond monies from the locked safe daily. Fines, court costs, and bond monies collected are transmitted by the Court Clerk to the city cashier's office for deposit into the city treasury daily. Bond monies are held in the city treasury pending disposition. Court is held five times a month. A TVB receives payments of fines and court costs at times other than during court.

Personnel

Municipal Judge	Frank Vatterott
Municipal Judge	Charles Billings
Municipal Judge	Mason Klippel
Court Clerk	Donna Johnson
Assistant Court Clerk	Jan Wesche
Clerk Typist	Samantha Rhyneer
Clerk Typist	Tracy McKinley

Caseload Information

	<u>Year Ended June 30,</u>	
	<u>1999</u>	<u>1998</u>
Number of tickets issued	6,723	7,611

5. City of Velda City

Organization

The Court Clerk is responsible for recording transactions as well as handling collections. The City Clerk receives payments of fines, costs, and bonds when the Court Clerk is not present. The Court Clerk and the police department collect bond monies. The police department places bond monies in a locked box. The Chief of Police retrieves bond monies from the locked box daily and

transmits these monies to the Court Clerk. Fines, court costs, and bond monies collected are deposited by the Court Clerk into the city treasury daily. Bond monies are held in the city treasury pending disposition. Court is held twice a month. A TVB receives payments of fines and costs at times other than during court.

Personnel

Municipal Judge	Charles Kirksey
Court Clerk	Peggy Stringer

Caseload Information

	<u>Year Ended June 30,</u>	
	<u>1999</u>	<u>1998</u>
Number of tickets assigned	4,697	4,447

6. City of Vinita Park

Organization

The Court Clerk and Assistant Court Clerk are responsible for recording transactions as well as handling collections. Both clerks and the police department collect bond monies. The police department places bond monies in a safe. The Court Clerk retrieves bond monies from the safe daily. Fines, court costs, and bond monies collected are transmitted by the Court Clerk to the finance director for deposit into the city treasury approximately weekly. Bond monies are held in the city's bond account pending disposition. Court is held twice a month. A TVB receives payments of fines and court costs at times other than during court.

Personnel

Municipal Judge	Daniel Chartrand
Court Clerk	Heather Smith
Assistant Court Clerk	Denise Bosse

Caseload Information

	<u>Year Ended June 30,</u>	
	<u>1999</u>	<u>1998</u>
Number of cases filed	6,285	5,081

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